

REMARKS

Claims 1, 4, 5 and 11-16 are pending. By this Amendment, claims 2, 3 and 6-10 are canceled, claims 1 and 11 are amended and claims 14-16 are added.

Applicants appreciate the Office Action's indication that claims 11-13 contain allowable subject matter. Claim 11 has been amended to be in independent form and is in condition for allowance.

I. Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 2, 6 and 10 under 35 U.S.C. §103(a) over U.S. Patent No. 5,875,754 to Ickinger in view of U.S. Patent No. 5,529,030 to Rose, claims 3 and 7 under 35 U.S.C. §103(a) over Ickinger and Rose and further in view of U.S. Patent No. 6,302,071 to Kobayashi, claims 4, 5, 8 and 9 under 35 U.S.C. §103(a) over Ickinger and Rose and further in view of U.S. Patent No. 5,680,841 to Hu and claims 1, 2, 6 and 10 under 35 U.S.C. §103(a) over JP 2000/0302596 to Muraji in view of Ickinger. These rejections are respectfully traversed.

None of the applied references disclose a first lubricating oil passage being formed to the electromagnetically driven valve and a second lubricating oil passage being formed independently from the first lubricating oil passage and being formed to the cam driven valve and the block section, as in amended independent claim 1.

Instead, Ickinger discloses a first oil gallery 62 and a second oil gallery 63. The first oil gallery is used to supply consuming devices within the timing case, such as chain tensioners and/or for supplying consuming devices arranged on the front side on the cylinder head arrangement, such as cam shaft phase adjusters. The second oil gallery is used for supplying oil to the bucket tappet elements. See e.g., col. 4, lines 43-65.

Kobayashi discloses an oil supply passage 73 formed in the cylinder block of the engine to supply lubricating oil for the neighborhood of the crank shaft 2 or the valve moving

mechanism and as working oil for the valve characteristic changing mechanism 25, 26 and the valve phase variable mechanism 50 (see e.g., col. 7, lines 28-39).

Hu discloses a hydraulic circuit used to control valve 30. See e.g., Fig. 1. A working fluid is formed to the valve but not to the block section.

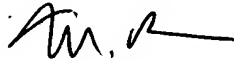
Neither Rose nor Muraji provide the deficiencies of Ickinger, Kobayashi or Hu.

With respect to new independent claim 14, none of the applied references discloses an electromagnetically driven valve formed in the head section and a cam driven valve formed in the head section and a first lubricating oil passage being formed to the electromagnetically driven valve and the cam driven valve and a second lubricating oil passage being formed to the block section. In both U.S. Patent No. 5,400,747 to Tabata and U.S. Patent No. 5,680,841 to Hu, the electromagnetically driven valve has a valve in the head section and the electromagnetic driver located outside of the head section.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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